

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION

RUSSELL CARR, #58208-019

PLAINTIFF

V.

CIVIL ACTION NO. 3:19-CV-524-KHJ-FKB

WARDEN CHRISTOPHER  
RIVERS

RESPONDENT

ORDER ADOPTING REPORT AND RECOMMENDATION

Before the Court is the Report and Recommendation of United States Magistrate Judge F. Keith Ball. [19]. That Report recommends that the Court dismiss Plaintiff Russell Carr's Petition for Writ of Habeas Corpus [1] as moot. Written objections to the Report were due by March 2, 2022. The Report notified Carr that failure to file written objections to the findings and recommendations by that date would bar further appeal in accordance with 28 U.S.C. § 636. *Id.*

When no party has objected to a magistrate judge's report and recommendation, the Court need not review it de novo. 28 U.S.C. § 636(b)(1). In such cases, the Court can apply the "clearly erroneous, abuse of discretion and contrary to law" standard of review. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989).

Magistrate Judge Ball entered his Report and Recommendation [19], recommending that this Court dismiss Carr's Petition for Writ of Habeas Corpus [1] as moot because Carr has been released from Bureau of Prisons' custody since he

filed his petition. [19] at 1. Carr has filed no objections to the Report and Recommendation. After review of the record, the Court, being fully advised in the premises, finds that the Report and Recommendation is neither clearly erroneous nor contrary to law, and should be adopted as the opinion of this Court.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the Report and Recommendation [19] of United States Magistrate Judge F. Keith Ball, entered in this cause should be, and the same is, adopted as the finding of this Court.

IT IS, FURTHER, ORDERED AND ADJUDGED that Plaintiff's Petition for Writ of Habeas Corpus [1] is dismissed.

SO ORDERED, this the 4th day of March, 2022.

*s/ Kristi H. Johnson*  
UNITED STATES DISTRICT JUDGE